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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/454,348	12/03/1999	YASSER ALSAFADI	PHA-23.863	3612

24737 7590 01/30/2006

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EXAMINER	
SHAH, SANJIV	

ART UNIT	PAPER NUMBER
2627	

DATE MAILED: 01/30/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/454,348	ALSAFADI ET AL.	
	Examiner	Art Unit	
	Sanjiv D. Shah	2627	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *24 October 2005*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-29* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☒ Claim(s) *18-23* is/are allowed.

6)☒ Claim(s) *1,3-6,8-10,15 and 24-29* is/are rejected.

7)☐ Claim(s) *2, 7, 11-14, 16-17* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. This action is in response to Appeal Brief filed on 10/24/2005.

2. Applicant's arguments, see last response (Appeal Brief), filed 10/24/2005, with respect to the rejection(s) of claim(s) 1-29 under 35 U.S.C 102 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Meltzer and Cheng.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 1, 3-6, 8-10, 15 and 24-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Meltzer et al. (USPN 6,226,675 B1 – filed 10/1998)** in view of Cheng **et al. (USPN 6,519,597 B1 – filed 06/1999).**

Regarding independent claims 1, 27, and 29, Meltzer discloses:

A method of operating an intelligent digital device (IDD) receiving an eXtensible Markup Language (XML) document containing data and respective Document Type Definition (DTD) describing the data content, comprising:

Meltzer teaches identifying the received document that could be considered verifying that a received DTD satisfies a predetermined criterion, wherein predetermined

criterion is default structure that parser adheres to as described in col. 24, lines 28-30. Also see col. 23, lines 39-46;

and if said criterion is satisfied, operating on said data based on said content (Meltzer on col. 23, lines 38-46 teaches receiving and processing incoming document such as XML; wherein the parser identifies the document type (DTD) of the document; the document is parsed to identify elements and attributes of the document for the translation into the format accepted by the host).

Meltzer does not specifically teach "verifying that the received DTD satisfies a predetermined criterion" as claimed. Cheng does.

Specifically as recited in col. 9, lines 44-61, Cheng discloses checking that the received DTD satisfies a predetermined criterion as acknowledged by applicant in their arguments in appeal brief, page 14, paragraph 1.

Therefore it would have been obvious for a person with ordinary skill in the art at the time the invention was made to incorporate Cheng into Meltzer to provide a way to determine if the DTD of a XML document is in a table of DTDs, as taught by Cheng, incorporated into the exchanging of XML documents, as taught by Meltzer, in order to clearly understand document structures and allow user to store, search, and retrieve XML documents.

Regarding dependent claims 3 and 8, Cheng discloses:

wherein the predetermined criterion comprises the inclusion of the name of a program residing on the IDD (Cheng on col. 2, lines 1-7, col. 9, lines 44-61, col. 13,

lines 37-58, and col. 17, lines 29-45: teaches XML extender provides functions for storage, search, and retrieval of XML documents).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Cheng into Meltzer to provide a way to determine if the DTD of a XML document is in a table of DTDs, as taught by Cheng, incorporated into the exchanging of XML documents, as taught by Meltzer, in order to clearly understand document structures and allow user to store, search, and retrieve XML documents.

Regarding dependent claims 4 and 9, Meltzer discloses:

wherein the program comprises an XML-enabled program (Meltzer on col. 29, line 16 teaches XML applications).

Regarding dependent claim 5, Meltzer discloses:

wherein the program comprises an XML parser (Meltzer on col. 24, lines 27-28 teaches XML parser).

Regarding dependent claim 10, Meltzer discloses:

wherein the program comprises an XML processor (Meltzer on col. 79, line 40 teaches XML processor).

Regarding independent claims 6, 28, Meltzer discloses:

A method of operating a system including a digital network interconnected intelligent digital devices (IDDs) generating and receiving eXtensible Markup Language (XML) documents containing data and respective Document Type Definitions (DTDs) describing the data content , comprising:

transmitting a generated XML document from a first IDD to a second IDD (Meltzer on col. 80, lines 45-54 teaches XML documents are transferred between businesses and processed by participant nodes (also see col. 9, lines 10-28 teaches nodes)); and

the respective DTD for the generated XML document, operating on said data contained in the XML document at the second IDD based on said content (Meltzer on col. 23, lines 38-46 teaches receiving and processing incoming document such as XML; wherein the parser identifies the document type (DTD) of the document; the document is parsed to identify elements and attributes of the document for the translation into the format accepted by the host).

Meltzer does not specifically teach "that the received DTD satisfies a predetermined criterion" as claimed. Cheng does.

Specifically as recited in col. 9, lines 44-61, Cheng discloses checking that the received DTD satisfies a predetermined criterion as acknowledged by applicant in their arguments in appeal brief, page 14, paragraph 1.

Therefore it would have been obvious for a person with ordinary skill in the art at the time the invention was made to incorporate Cheng into Meltzer to provide a way to determine if the DTD of a XML document is in a table of DTDs, as taught by Cheng, incorporated into the exchanging of XML documents, as taught by Meltzer, in order to clearly understand document structures and allow user to store, search, and retrieve XML documents.

Regarding dependent claim 24, Meltzer discloses wherein said received DTD is contained along with said data in said XML upon reception of said DTD that is to be subject to said verifying (on col. 23, lines 38-46 teaches the XML document contains a stored DTD and is received to be identified by the parser).

Regarding dependent claim 25, Meltzer discloses wherein said verifying is performed in response to said reception (on col. 38-46 teaches parser for identifying the DTD from the received document).

Regarding dependent claim 26, Meltzer discloses receiving the transmitted generated XML document; determining, upon reception of said transmitted, generated XML document, whether said criterion is satisfied; and if said determining determines that said criterion is satisfied, performing said operating (on col. 3, lines 28-34 teaches the receiving data comprising a document through a communication network).

5. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over **Meltzer et al. (USPN 6,226,675 B1 – filed 10/1998)** in view of **Cheng et al. (USPN 6,519,597 B1 – filed 06/1999)** and further in view of **Humpleman (International Publication No. WO99/57837 – published 11/1999).**

Regarding independent claim 15, Meltzer discloses:

A method of operating a system including a digital network interconnected intelligent digital devices (IDDs) generating and receiving eXtensible Markup Language (XML) documents containing data and respective Document Type Definitions (DTDs) describing the data content, comprising:

(a) generating an XML document containing related data and a reference to a respective DTD at a first IDD (Meltzer on col. 26, lines 11-12 teaches a taking an XML document and applying it to a parser/generator); (b) transmitting the XML document from the first to the second IDD (Meltzer on col. 80, lines 45-54 teaches XML documents are transferred between businesses and processed by participant nodes (also see col. 9, lines 10-28 teaches nodes);

(c) parsing the data in the XML document in accordance with the format described in the respective DTD to thereby generate parsed data from the related data; and (d) operating on the parsed data (Meltzer on col. 23, lines 38-46 teaches receiving and processing incoming document such as XML; wherein the parser identifies the document type (DTD) of the document; the document is parsed to identify elements and attributes of the document for the translation into the format accepted by the host).

Meltzer does not specifically teach "that the received DTD satisfies a predetermined criterion" as claimed. Cheng does.

Specifically as recited in col. 9, lines 44-61, Cheng discloses checking that the received DTD satisfies a predetermined criterion as acknowledged by applicant in their arguments in appeal brief, page 14, paragraph 1.

Therefore it would have been obvious for a person with ordinary skill in the art at the time the invention was made to incorporate Cheng into Meltzer to provide a way to determine if the DTD of a XML document is in a table of DTDs, as taught by Cheng, incorporated into the exchanging of XML documents, as taught by Meltzer, in order to clearly understand document structures and allow user to store, search, and retrieve

XML documents.

However, combination of Meltzer and Cheng does not explicitly disclose "responsive to a command from a second IDD".

Humpleman on page 17, lines 11-21, page19, lines 17-29, and page 30, lines 6-14: teaches device-device control using command languages in XML is used for validity check to the XML interface of the device.

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Humpleman into Meltzer and Cheng to provide command languages in XML for device to device control, as taught by Humpleman, incorporated into the network environment of Meltzer and Cheng, in order increase the capabilities of communication between network devices.

Allowable Subject Matter

6. Claims 18-23 are allowed.

Regarding claims 18-23, applicant's arguments filed in appeal brief are fully persuasive. The cited prior art failed to teach claimed limitation alone or in combination. Therefore the invention as claimed is allowable over the cited prior art.

7. Claims 2, 7, 11-14 and 16-17 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

8. Applicant's arguments with respect to claims 1, 3-6, 8-10, 15 and 24-29 have been considered but are moot in view of the new ground(s) of rejection.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sanjiv D. Shah whose telephone number is (571) 272-4098. The examiner can normally be reached on M-F 9-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bhavesh M. Mehta can be reached on (571) 272-7453. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Sanjiv D. Shah
Primary Examiner
Art Unit 2627

S. Shah
January 20, 2006